

## R430-60-14: CHILD HEALTH.

- (1) The licensee shall ensure that no child is subjected to physical, emotional, or sexual abuse while in care.

### Rationale / Explanation

Serious physical abuse of children by caregivers usually occurs at times of high stress for the caregiver. For this reason, it is important for caregivers to have ways of taking breaks and seeking assistance when they are stressed. CFOC, 3<sup>rd</sup> Ed. pgs. 41-43 Standard 1.7.0.5

The presence of multiple caregivers also greatly reduces the risk of serious abuse to children. Abuse tends to occur in privacy and isolation, and especially in toileting areas. CFOC, 3<sup>rd</sup> Ed. pgs. 125-126 Standard 3.4.4.5

Corporal punishment may be physically and emotionally abusive, or may easily become abusive. Research links corporal punishment with negative effects such as later criminal behavior and learning impairments. Other inappropriate discipline methods such as humiliation or using abusive language may also be emotionally abusive. CFOC, 3<sup>rd</sup> Ed. pgs. 70-72 Standard 2.2.0.6, pgs. 75-76 Standard 2.2.0.9

### Enforcement

Always Level 1 Noncompliance.

- (2) All staff shall follow the reporting requirements for witnessing or suspicion of abuse, neglect, and exploitation found in Utah Code, Section 62A-4a-403 and 62A-4a-411.

### Rationale / Explanation

Reporting of suspected child abuse or neglect is required by Utah law. Suspected abuse and neglect must be reported to law enforcement or Child Protective Services. Reporting suspected abuse or neglect to one's supervisor only does not meet the legal requirement to report suspected abuse and neglect. CFOC, 3<sup>rd</sup> Ed. pgs. 123-124 Standard 3.4.4.1

See CFOC, 3<sup>rd</sup> Ed. pgs. 445-448 Appendix M for a list of signs of possible abuse and neglect, and pgs. 449-450 Appendix N for a list of protective factors regarding abuse and neglect

### Enforcement

It is acceptable if the caregiver discusses the suspected abuse with the director prior to reporting and the director and caregiver together conclude that it is not abuse. For example, if the director knows about a fall a child had that resulted in an injury and the caregiver does not know about the fall, and suspects the injury may have resulted from abuse.

The Licensee is not in compliance with this rule if suspected abuse or neglect is reported to a company's attorney.

Always Level 1 Noncompliance.

- (3) The use of tobacco, alcohol, illegal substances, or sexually explicit material on the premises or in center vehicles is prohibited any time that children are in care.

### Rationale / Explanation

Scientific evidence has linked respiratory health risks to secondhand smoke. No children, especially those with respiratory problems, should be exposed to additional risk from the air they breathe. Infants and young children exposed to secondhand smoke are at risk of developing bronchitis, pneumonia, and middle ear infections when

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*they experience common respiratory infections. CFOC, 3<sup>rd</sup> Ed. pgs. 118-119 Standard 3.4.1.1, pg. 363 Standard 9.2.3.15*

*The age, defenselessness, and lack of mature judgement of children in care make the prohibition of tobacco, alcohol, and illegal substances an absolute requirement. CFOC, 3<sup>rd</sup> Ed. pgs. 118-119 Standard 3.4.1.1, pg. 363 Standard 9.2.3.15*

### **Enforcement**

*Level 1 Noncompliance if alcohol or illegal substances are used or if tobacco is used any place indoors or within 25 feet of:*

- A. the entrance/exit of the building*
- B. an open window*
- C. the outdoor play area*
- D. a child*

*Level 2 Noncompliance otherwise.*